

Express Mail No. EV 456 921 244 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Collins <i>et al.</i>	Confirmation No.:	4775
Serial No.:	10/654,112	Art Unit:	1626
Filed:	September 2, 2003	Examiner:	Sackey, Ebenezer O
For:	MODULATION OF CCR4 FUNCTION	Attorney Docket No.:	11134-065-999

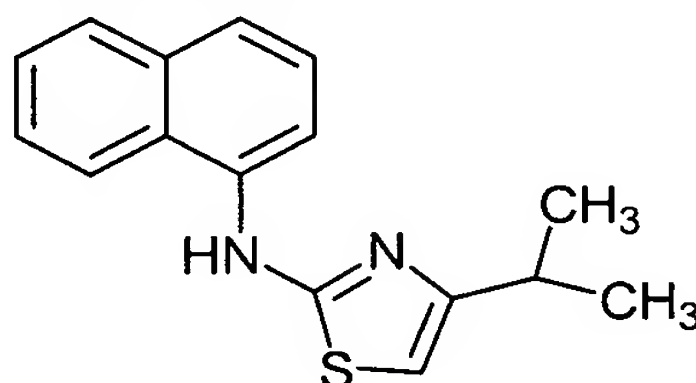
RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

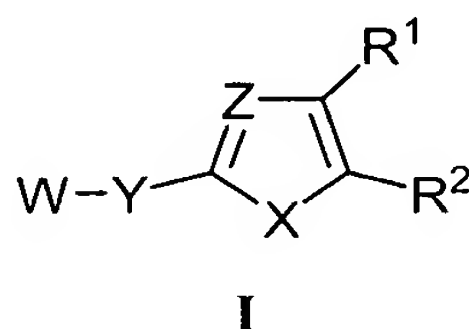
Sir:

The following remarks are in response to the restriction requirement mailed November 25, 2005, for the above-identified patent application.

In the restriction requirement, the Patent Office requires an election of a single compound for use in the methods including an exact definition of each substitution on the base molecule (structural formula (I)), wherein a single member at each substituent group or moiety is selected. Applicants elect species **12**, described on page 41 of the specification:



The elected species corresponds to a compound of the formula (I):



wherein W is naphthyl; Y is NH; Z is N; X is S; R¹ is (C₁-C₈)alkyl; and R² is H.

Applicants respectfully request that the Patent Office consider the possibility of defining R^2 to be H or (C₁-C₈)alkyl in formula I, where W, Y, Z, X and R¹ are as defined above. Examples from the specification, such as species 4, 8, 9, 10, 11, or 12 for example, would be encompassed within formula I with the foregoing definitions for each variable. In addition, Applicants respectfully submit that having one alternative definition for one variable in formula I would not impose too much of a burden on the examiner for searching purposes.

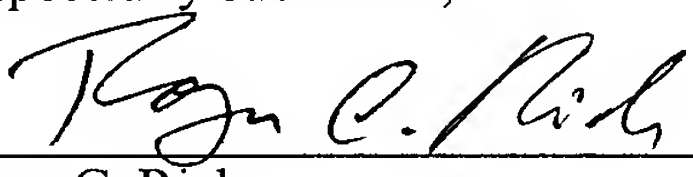
Applicants do not know what constitutes the invention to be examined by the Patent Office, since no restriction groups have been identified by the Patent Office in the restriction requirement mailed November 25, 2005. The Patent Office indicates that a clear statement of the examined invention will be set forth in the first office action on the merits. Therefore, Applicants provisionally traverse the restriction requirement, reserving the right to withdraw the traversal upon being presented with the restricted subject matter to be examined by the Patent Office.

Applicants believe that the foregoing fully responds to the restriction requirement and that the instant application is in condition for substantive review on the merits.

No fee is believed to be due with this paper. However, the Commissioner is hereby authorized to charge any required fee to Jones Day deposit account No. 50-3013 (referencing no. 893053-999065).

Respectfully submitted,

Date: **January 4, 2006**



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